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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,292	01/11/2005	Thomas Daniel	29827/40753	1444

4743 7590 12/12/2007  
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EXAMINER
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BERNSHTEYN, MICHAEL

ART UNIT	PAPER NUMBER
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1796

MAIL DATE	DELIVERY MODE
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12/12/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



**Advisory Action**  
**After the Filing of an Appeal Brief**

Application No.

10/521,292

Examiner

Michael M. Bernshteyn

Applicant(s)

DANIEL ET AL.

Art Unit

1796

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 05 November 2007 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

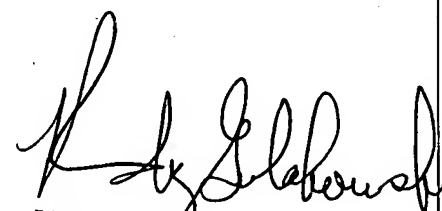
b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☐ Other: Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as anticipated by Tsubakimoto et al. (U.S. Patent 4,266,082). Claims 6 and 7 are rejected under 35 U.S.C. 102(b) as anticipated by, or in the alternative under 103(a) as being unpatentable as obvious over Tsubakimoto et al. (U.S. Patent 4,266,082).

  
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